

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JAN 25 2005

OFFICE OF
MANAGING DIRECTOR

J. B. Salazar
International Christian Supply
850 Airline Drive
Post Office Box 1402
Uvalde, Texas 78801

Re: International Christian Supply
Request for Waiver of FY 2004
Regulatory Fee Penalty
Fee Control No. 0409238340480007

Dear Mr. Salazar:

This responds to your September 20, 2004 letter requesting waiver of the penalty for late payment of the fiscal year (FY) 2004 regulatory fees for two television stations licensed to International Christian Supply (ICS) in Uvalde, Texas.¹ Our records reflect that the FY 2004 regulatory fee penalty for each of the stations has been paid.

In your request, you state that you mailed ICS' FY 2004 regulatory fees on August 17, 2004. You also state that the carrier, United Parcel Service (UPS), guaranteed that the payment would arrive on August 19, 2004, the date of the Commission's FY 2004 payment deadline, but actually delivered the payment on August 20, 2004.² In support of your request, you attach a letter of apology from UPS and documents showing when you mailed the payment.

The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensee responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. Your request does not indicate or substantiate that you met this obligation. Nor does the statute permit the Commission to remove this obligation even under circumstances, such as those you recite, where the carrier apparently delivered the payment to the Commission after the filing deadline.³ Therefore, your request is denied.

¹ We consider your waiver request for the penalty for both facilities for which you filed late FY 2004 regulatory fees. In response to your statement that you "have not received a penalty letter" from the Commission concerning one of them, please note that the bill you received covers the late penalty charge due for each facility, even though it identifies only one of the call signs.

² Although your letter states that your payment was not delivered until "9/20/04," we assume, and our records confirm, that the date you intended to state is August 20, 2004.

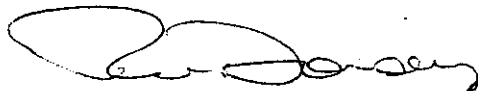
³ We point out that Section 1.1158 of the Commission's rules permits payment of regulatory fees by means other than mailing, such as electronic transfer.

J.B. Salazar

2.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", written in a cursive style.

 Mark A. Reger
Chief Financial Officer

0409238340480007

DOCKET FILE COPY ORIGINAL

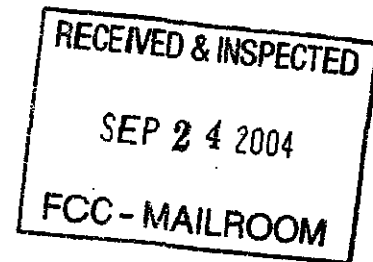
September 20, 2004

RECEIVED FCC

ICS/JB SALAZAR
PO BOX 1402
850 AIRLINE DR
UVALDE, TX 78801

2004 SEP 24 P 6:37

FINANCIAL SERVICES
CENTER



F.C.C
MR. MARK A REGER
CHIEF OF FINANCIAL OFFICE
REVENUE & RECEIVABLE OPER
445 12TH ST SW
RM #1-B724
WASHINGTON, D.C. 20554

RE: FRN# 0004301297
Request to waive late fees for Facility Id: 29452

Dear Mr. Mark Reger,

This is a request to waive a late regulatory fee for
Facility Id 29452.

Form 159 and payment was sent 8/17/04 by UPS 2nd Day Air to
the appropriate courier address. This payment was guaranteed to arrive on 8/19/04
but was not delivered till 9/20/04. UPS stated that the envelope did not arrive in
in Pittsburgh until the morning of the 20th.

Enclosed is the UPS record that shows date and how payment was shipped and a
letter from UPS explaining that we attempted to get this payment to you on time.

This fee has been paid and can be reimbursed and sent to the address above.

Please note, that a Regulatory fee was paid for a 2nd Facility Id (67303) at the
same time. We have not received a penalty letter. Can you make sure that is
waived at the same time.

Thank you so much for your consideration in this matter.
Regret to hear about all the flooding there in your city.

Sincerely,

J.B. Salazar

*2 by letter
Assign Regina
30 of flicker
10/1
mhc*

NOV 10 2004

1821 Beaver Avenue
Pittsburgh, PA 15233



RECEIVED FCC

2004 SEP 24 P 6: 37

FINANCIAL INSTITUTIONS
CENTER

September 20, 2004

Mrs. Debbie Salazar
ICS
850 Airline Drive
Uvalde, TX 78801

Dear Mrs. Salazar:

Enclosed is a copy of the letter for JB Salazar in Pittsburgh, PA regarding their service problem.

We sincerely apologize for the inconvenience that you and your customer were caused.

Thank you for informing us of this situation and giving us the opportunity to express our regret to your customer and provide assurance that your company was not responsible for this error.

We value the trust you place in UPS, and look forward to the opportunity to serve you

Sincerely,

A handwritten signature in black ink that reads "Donald C. Mueser".

Donald C. Mueser
Sales Support Manager